

MEMORANDUM ENDORSED



July 6, 2025

From: Dargan M. Ware
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2154 Highland Ave South
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To: Hon. Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl St., Courtroom 12C
New York, New York, 10007

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Re: McBride v. WarnerMedia Direct, LLC, No. 1:25-CV-06176-GHW

Dear Judge Woods,

As you might be aware, on July 2, 2025, Judge Furman issued an Opinion and Order remanding a similar case involving the same Defendant, Lalewicz v. WarnerMedia Direct, LLC, No. 1:24-CV-06173-JMF, to small claims court in Tennessee. On the same date, Defendant WarnerMedia filed a notice of appeal from this order. Two days before Judge Furman's ruling, Judge Rakoff denied a remand motion in another similar case involving the same Defendant, Parker v. WarnerMedia Direct, LLC, No. 1:25-cv-02444-JSR. Plaintiff has requested reconsideration in Parker, but the parties have agreed to stay that as well.

Judge Furman has stayed Lalewicz pending appeal upon agreement of the parties given that the Second Circuit will ultimately resolve which forum should hear the case. To preserve the resources of the Court and the parties in the above-referenced matter, the parties have agreed to stay this matter pending the outcome of the Second Circuit's decision in Lalewicz. The parties thus jointly request that this Honorable Court enter an order staying this litigation pending the Second Circuit's decision in Lalewicz.

/s/ Dargan M. Ware

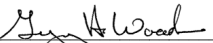
Attorney for Plaintiff Andrew McBride

Application granted. The parties' request for a stay of this case pending the Second Circuit's resolution of Defendant's appeal in Lalewicz v. WarnerMedia Direct, LLC, No. 24-cv-6173 (JMF), Dkt. No. 70, is granted. This case is stayed pending the Second Circuit's resolution of Defendant's appeal in Lalewicz. The parties are directed to file a joint letter updating the Court on the status of this case no later than five days following the Second Circuit's resolution of Defendant's appeal. In light of the stay in this case, Plaintiff's motion to remand this action to state court, Dkt. No. 50, and Defendant's motion to compel the arbitration of this action, Dkt. No. 51, are deemed withdrawn. The parties may request leave to resubmit their respective motions in their joint letter following the Second Circuit's resolution of Defendant's appeal in Lalewicz.

The Clerk of Court is directed to note the stay of this case on the docket and to terminate the motions pending at Dkt. Nos. 50, 51, and 70.

SO ORDERED.

Dated: July 8, 2025
New York, New York


GREGORY H. WOODS
United States District Judge